

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Examiner: J. LU;                      Art Unit: 3749;                      Docket No.: 3156**

**In RE:                      Application of Detlef MATTINGER, et al**

**Ser. No.:                      10/520,305**

**Filing Date:                      January 5, 2005**

**Title:                      HAIR DRYER WITH DETACHABLE ROTATABLE AIR  
NOZZLE ATTACHMENT FOR PRODUCING  
SIDE-BY-SIDE HOT AND COLD AIR STREAMS**

January 29, 2008

**LETTER RESPONSIVE TO NOTICE OF  
NON-COMPLIANT APPEAL BRIEF**

Hon. Commissioner of Patents  
and Trademarks,  
Washington, D.C. 20231

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated January 23, 2008, please accept the accompanying corrected "Section III. Status of All Claims" from the appeal brief filed on January 2, 2008 and consider the following REMARKS:

## REMARKS

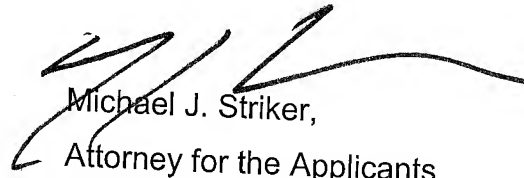
The "Notification of Non-Compliant Appeal Brief" dated January 23, 2008 stated that Section III of the appeal brief dated January 2, 2008 did not identify the claims on appeal. However the Notification of Non-Compliant Appeal Brief also stated that it was only necessary to file a corrected Section III that did identify the claims on appeal.

In response to the Notification a corrected copy of page 5 of the Appeal Brief filed on January 2, 2008 accompanies this letter. The claims on appeal are now identified in the last sentence in the corrected "Section III. Status of the Claims" that appears on the separate copy of page 5 accompanying this letter.

Should the Examiner require or consider it advisable that the specification, claims and/or drawing be further amended or corrected in formal respects to put this case in condition for final allowance, then it is requested that such amendments or corrections be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing the case to allowance, he or she is invited to telephone the undersigned at 1-631-549 4700.

In view of the foregoing, favorable allowance is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. J. Striker', with a long horizontal flourish extending to the right.

Michael J. Striker,

Attorney for the Applicants

Reg. No. 27,233

### **III. STATUS OF THE CLAIMS**

1. Claims 1 to 23 and 30 were canceled; claims 24 to 29 and 31 to 34 are currently pending.
2. Claims 24, 27, and 29 were rejected under 35 U.S.C. 102 (b) as anticipated by Guenin (EP 0 970 633), and are now on appeal.
3. Claims 25 to 26, 28, and 31 to 33 were rejected under 35 U.S.C. 103 (a) as obvious over Guenin (EP 0 970 633), and are now on appeal.
4. Claim 34 was rejected under 35 U.S.C. 103 (a) as obvious over Guenin (EP 0 970 633), in view of Hubbuch (G 9100860.3), and is now on appeal.
5. Claims 24 to 29 and 31 to 34 are being appealed.